

STATEMENT OF WITNESS

OP GRAND

STATEMENT OF

EXHIBIT No. 324
W. Weimar CLERK

Name of Witness Karel Alexander WEIMAR	Date 12 December 2005
Address of Witness Crime and Misconduct Commission Cnr Adelaide and Creek Sts Brisbane	
Occupation of Witness Principal Financial Investigator, Misconduct	Telephone Nos. Business: 3360 6864

Karel Alexander WEIMAR states:-

1. I am a Certified Practising Accountant (CPA) and I hold a Bachelor of Business degree from the Queensland Institute of Technology (1985) and a Master of Commerce degree from Griffith University (2000). I am a member of CPA Australia and I have been a CPA since 1998.
2. I am a Principal Financial Investigator employed by the Crime division of the Crime and Misconduct Commission (CMC) and I have been employed by the Commission as a Financial Investigator for seven years.
3. In August 2005, I was assigned to an investigation into complaints relating to the Gold Coast City Council.
4. As part of that investigation, I have examined Local Government Election Gifts forms provided by the Gold Coast City Council and I have previously provided a witness statement in regards to the analysis of these returns.
5. I have compared the electoral return submitted by Councillor David Power to the copies of documents provided by Councillor Power in response to a CMC notice to discover.

Karel Alexander Weimar *K.A.*
 WITNESS

CONTINUED STATEMENT OF: Karel Alexander Weimar

6. In particular, I have compared amounts declared as gifts by Councillor Power to amounts deposited to Councillor Power's campaign account – an account held at the national Australia Bank in Beenleigh and titled "D Woods as trustee for Power Campaign Committee".
7. I have reproduced the details of monetary gifts included in Councillor Power's electoral return and the actual deposits to the campaign account in the attached spreadsheet.
8. Councillor Power has declared that he received \$88,925 in electoral gifts from 486 persons. The total gifts declared of \$88,925 includes \$87,825 in cash donations and \$1,100 of donations in kind. Deposits to the campaign account total \$87,950 – a variation of \$125 on the amount declared.
9. I have determined from documents provided by Graeme Ingles of the Ingles Group (Qld) Pty Ltd that Councillor Power's campaign committee had a fund raising luncheon on 03 March 2004. Councillor Power's return states that sales of "various luncheon tickets" totaled \$58,000 and that amount corresponded to 469 persons.
10. The invitation sent to Graeme Ingles states that tickets cost \$125 per person. The invitation also asked that invitees respond to the invitation by 01 March 2004 indicating how many were attending at a cost of \$125 each or, alternatively, enclosing a donation if unable to attend.
11. Given that responses, (enclosing a cheque payment), were required by 01 March 2004, I would expect that all cheques for ticket purchases and/or donations would have been banked by 04 March 2004. Instead, it appears from the attached spreadsheet, that money for tickets continued to be deposited to the campaign account until 05 April 2004.
12. In the period following the day of the fund raising lunch, from 04 March 2004 to 05 April 2004, an amount of \$7,375 was collected in luncheon ticket sales.
13. As part of my inquiries, I have been to the Windaroo Lakes Golf Club, spoken to the manager and seen the function room at the club. The function room can comfortably hold about 250 people for a "stand up" lunch and down to about 150 for a "sit down" lunch.


Karel Alexander Weimar



WITNESS

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14. The current manager has stated that all of the records relating to the date of the function have been destroyed without her approval when the club started expansion of facilities and the building where the records had been housed the records was destroyed (along with the records) when the site was being cleared.
15. However, in relation to club takings on 03 March 2004, the club's daily cash summary report is still on hand and that report shows that there was a function on 03 March 2004 and food totaling \$2,475 was charged for that functions and \$668 worth of alcohol was sold. Based on the club's menu prices, a stand up lunch involving "finger food" may be as little as \$6 per head up to \$28 per head for a 2 course lunch.
16. Without access to the records, there is no way to determine exactly how many people attended the function for Councillor Power on 03 March 2004.

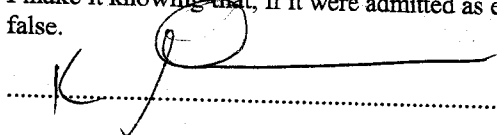


Karel Weimar
Principal Financial Investigator

Justices Act 1886

I acknowledge by virtue of section 110A(5)(c)(ii) of the Justices Act 1886 that:

- (1) This written statement by me dated 12 December 2005 and contained in the pages numbered 1 to 3 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I may be liable to prosecution for stating anything that I know is false.



..... Signature

Signed at ..Brisbane this...12th Day of December 2005....

Karel Alexander Weimar
WITNESS



David Power - electoral gifts and bank deposits

Date	Description	Division	Final	Wongawallen Holdings P/L (Coonglen P/L / Minuet P/L)	Address	Amount	Yes	Date	Amount
9/02/2004	No deposit slip	Division 2	Final			\$ 500.00		9/02/2004	\$ 500.00
13/02/2004	POWER David Leslie	Division 2	Final	Wongawallen Holdings P/L	Dreamworld Parkway, Coomera	\$ 1,500.00			
13/02/2004	POWER David Leslie	Division 2	Final	Coonglen P/L	Dreamworld Parkway, Coomera	\$ 1,500.00			
13/02/2004	POWER David Leslie	Division 2	Interim & Final	Minuet P/L	Dreamworld Parkway, Coomera	\$ 1,500.00			
13/02/2004	No deposit slip								
25/02/2004	POWER David Leslie	Division 2	Final	Austcorp Group Ltd	Tooranbedin Rd, Coomera	\$ 5,000.00	Yes	13/02/2004 25/02/2004	\$ 6,000.00 \$ 6,000.00
25/02/2004	D Woods as trustee for Power Campaign Committee								
25/02/2004	D Woods as trustee for Power Campaign Committee			Corens Regan Williams Prod ?		\$ 250.00			\$ 250.00
25/02/2004	D Woods as trustee for Power Campaign Committee			Pitts Prod P/L ?		\$ 500.00			\$ 500.00
25/02/2004	D Woods as trustee for Power Campaign Committee			Marine Group P/L?		\$ 125.00			\$ 125.00
25/02/2004	D Woods as trustee for Power Campaign Committee			Eldon Botcher P/L?		\$ 125.00			\$ 125.00
25/02/2004	D Woods as trustee for Power Campaign Committee			Austcorp		\$ 5,000.00			
26/02/2004	D Woods as trustee for Power Campaign Committee							\$ 2,000.00	
26/02/2004	D Woods as trustee for Power Campaign Committee			Gap Dowe P/L?		\$ 125.00			\$ 125.00
26/02/2004	D Woods as trustee for Power Campaign Committee			Insight		\$ 375.00			\$ 375.00
26/02/2004	D Woods as trustee for Power Campaign Committee			Balleodof?		\$ 125.00			\$ 125.00
26/02/2004	D Woods as trustee for Power Campaign Committee			Ingles Group		\$ 1,000.00			\$ 1,000.00
26/02/2004	D Woods as trustee for Power Campaign Committee			J Imbruglia?		\$ 125.00			\$ 125.00
26/02/2004	D Woods as trustee for Power Campaign Committee			Econ Realty P/L?		\$ 250.00			\$ 250.00
1/03/2004	POWER David Leslie	Division 2	Interim & Final	Edgedrift P/I	Old Pacific Hwy, Oxenford	\$ 1,000.00	Yes	1/03/2004	
27/02/2004	D Woods as trustee for Power Campaign Committee							\$ 1,625.00	
27/02/2004	D Woods as trustee for Power Campaign Committee			KJ & NA Ibbetson				\$ 125.00	\$ 125.00

David Power - electoral gifts and bank deposits

Date	Committee	Trustee Name	Amount	Other	Yes	Amount	Address	Division 2	Interim & Final	Date
27/02/2004	D Woods as trustee for Power Campaign Committee	B Duncan	\$250.00							\$250.00
27/02/2004	D Woods as trustee for Power Campaign Committee	Pacz Prepergy?	\$125.00							\$125.00
27/02/2004	D Woods as trustee for Power Campaign Committee	Keupz Enterprises?	\$500.00							\$500.00
27/02/2004	D Woods as trustee for Power Campaign Committee	J & C London?	\$250.00							\$250.00
27/02/2004	D Woods as trustee for Power Campaign Committee	Doug Possie?	\$125.00							\$125.00
27/02/2004	D Woods as trustee for Power Campaign Committee	Habitat	\$250.00							\$250.00
27/02/2004	D Woods as trustee for Power Campaign Committee			\$ 250.00						
27/02/2004	D Woods as trustee for Power Campaign Committee	P M Stollery	\$125.00							\$125.00
27/02/2004	D Woods as trustee for Power Campaign Committee	Holm Trading	\$125.00							\$125.00
1/03/2004	D Woods as trustee for Power Campaign Committee			\$ 3,000.00						
1/03/2004	D Woods as trustee for Power Campaign Committee	Dredge Bell	\$250.00							\$250.00
1/03/2004	D Woods as trustee for Power Campaign Committee	Edgedrift P/L	\$1,000.00							\$1,000.00
1/03/2004	D Woods as trustee for Power Campaign Committee	Cozens???	\$125.00							\$125.00
1/03/2004	D Woods as trustee for Power Campaign Committee	Monterey Keys?	\$250.00							\$250.00
1/03/2004	D Woods as trustee for Power Campaign Committee	City Planners	\$1,000.00							\$1,000.00
1/03/2004	D Woods as trustee for Power Campaign Committee	Jordan Bros	\$250.00							\$250.00
1/03/2004	D Woods as trustee for Power Campaign Committee	Eldon Botcher P/L?	\$125.00							\$125.00
1/03/2004	D Woods as trustee for Power Campaign Committee			\$ 5,125.00						
1/03/2004	D Woods as trustee for Power Campaign Committee	Cliff Amel?	\$125.00							\$125.00
1/03/2004	D Woods as trustee for Power Campaign Committee	Cash	\$5,000.00							\$5,000.00
3/03/2004	POWER David Leslie	Waterway Dve, Coomera	\$ 2,200.00		Yes					
		XYZ Investments P/I								
		Interim & Final								4/03/2004

David Power - electoral gifts and bank deposits

3/03/2004	POWER David Lesite	Division 2	Final	Ingles Group (Qld) P/L	Appel St, Surfers Paradise	\$ 9,000.00	Yes	4/03/2004		
4/03/2004	POWER David Lesite	Division 2	Final	Brown & Partners P/L	Gold Coast Hwy, Surfers Paradise	\$ 250.00	Yes	4/03/2004		
4/03/2004	POWER David Lesite	Division 2	Final	Gibbs Holdings P/L	Brisbane Rd, Labrador	\$ 1,000.00	Yes	4/03/2004		
4/03/2004	D Woods as trustee for Power Campaign Committee								\$ 1,375.00	
4/03/2004	D Woods as trustee for Power Campaign Committee			MBA Windows?					\$ 125.00	\$ 125.00
4/03/2004	D Woods as trustee for Power Campaign Committee			Bruce Hazel?					\$ 125.00	\$ 125.00
4/03/2004	D Woods as trustee for Power Campaign Committee			D Dower					\$ 125.00	\$ 125.00
4/03/2004	D Woods as trustee for Power Campaign Committee			Queensland ???					\$ 1,000.00	\$ 1,000.00
4/03/2004	D Woods as trustee for Power Campaign Committee			Cash				\$ 2,875.00		
4/03/2004	D Woods as trustee for Power Campaign Committee			De Borzoli					\$ 125.00	\$ 125.00
4/03/2004	D Woods as trustee for Power Campaign Committee			Drewock P/L ?					\$ 125.00	\$ 125.00
4/03/2004	D Woods as trustee for Power Campaign Committee			Coolwell P/L ??					\$ 500.00	\$ 500.00
4/03/2004	D Woods as trustee for Power Campaign Committee			Coolwell P/L ??					\$ 500.00	\$ 500.00
4/03/2004	D Woods as trustee for Power Campaign Committee			D J Bromley?					\$ 500.00	\$ 500.00
4/03/2004	D Woods as trustee for Power Campaign Committee			Humphreys P/L					\$ 125.00	\$ 125.00
4/03/2004	D Woods as trustee for Power Campaign Committee							\$ 8,500.00		
4/03/2004	D Woods as trustee for Power Campaign Committee			Cash					\$ 125.00	\$ 125.00
4/03/2004	D Woods as trustee for Power Campaign Committee			Property Solutions					\$ 125.00	\$ 125.00
4/03/2004	D Woods as trustee for Power Campaign Committee			C??? Solutions					\$ 125.00	\$ 125.00
4/03/2004	D Woods as trustee for Power Campaign Committee			Michel Group??					\$ 2,000.00	\$ 2,000.00
4/03/2004	D Woods as trustee for Power Campaign Committee			Michel Group ??					\$ 1,000.00	\$ 1,000.00

David Power - electoral gifts and bank deposits

4/03/2004	D Woods as trustee for Power Campaign Committee						Fraser Scott											\$125.00	\$125.00
4/03/2004	D Woods as trustee for Power Campaign Committee						NAB bank cheque											\$5,000.00	\$5,000.00
4/03/2004	D Woods as trustee for Power Campaign Committee						SM & H???											\$ 6,000.00	
4/03/2004	D Woods as trustee for Power Campaign Committee						Abhoola?? Finburn											\$125.00	\$125.00
4/03/2004	D Woods as trustee for Power Campaign Committee						Wilson Blackley											\$250.00	\$250.00
4/03/2004	D Woods as trustee for Power Campaign Committee						Pitt St ? Properties											\$125.00	\$125.00
4/03/2004	D Woods as trustee for Power Campaign Committee						Stewards ?? P/L											\$5,000.00	\$5,000.00
4/03/2004	D Woods as trustee for Power Campaign Committee						Int?? Properties											\$125.00	\$125.00
4/03/2004	D Woods as trustee for Power Campaign Committee						Cash											\$250.00	\$250.00
4/03/2004	D Woods as trustee for Power Campaign Committee						Norco P???											\$ 13,150.00	
4/03/2004	D Woods as trustee for Power Campaign Committee						Col Kleinschmidt											\$250.00	\$250.00
4/03/2004	D Woods as trustee for Power Campaign Committee						Todenred?? P/L											\$125.00	\$125.00
4/03/2004	D Woods as trustee for Power Campaign Committee						Makau Holdings ?											\$450.00	\$450.00
4/03/2004	D Woods as trustee for Power Campaign Committee						Insight Asset Management											\$5,000.00	\$5,000.00
4/03/2004	D Woods as trustee for Power Campaign Committee						Fraser Scott Developments ?											\$5,000.00	\$5,000.00
4/03/2004	D Woods as trustee for Power Campaign Committee						XYZ Investments P/I											\$2,200.00	
4/03/2004	D Woods as trustee for Power Campaign Committee						W???	Houses?										\$ 16,875.00	
4/03/2004	D Woods as trustee for Power Campaign Committee						Iwasaki?? Group											\$250.00	\$250.00
4/03/2004	D Woods as trustee for Power Campaign Committee						Marine?? P/L											\$1,250.00	\$1,250.00
4/03/2004	D Woods as trustee for Power Campaign Committee																	\$1,000.00	\$1,000.00

David Power - electoral gifts and bank deposits

Date	Description	Division	Stockland	Address	Amount	Yes/No	Date	Amount	Total
1/04/2004	D Woods as trustee for Power Campaign Committee	Division 2	Stockland						\$500.00
5/04/2004	POWER David Leslie	Final	Gemstone Group P/L	Gold Coast Hwy, Surfers Paradise	\$ 800.00	Yes	5/04/2004		\$500.00
5/04/2004	D Woods as trustee for Power Campaign Committee							\$ 925.00	
5/04/2004	D Woods as trustee for Power Campaign Committee		WC Bay ?????						\$125.00
5/04/2004	D Woods as trustee for Power Campaign Committee		Gemstone Group P/L						\$800.00
13/04/2004	POWER David Leslie	Division 2	Yarrane P/L	Old Pacific Highway, Yatala	\$ 2,000.00	Yes	13/04/2004		
13/04/2004	D Woods as trustee for Power Campaign Committee							\$ 2,000.00	
13/04/2004	D Woods as trustee for Power Campaign Committee		Yarrane P/L						\$2,000.00
5/04/2004	POWER David Leslie	Division 2	Individual donation < \$200	None Given	\$ 1,075.00				
3/03/2004	POWER David Leslie	Division 2	Various luncheon tickets	None Given	\$ 29,825.00				
	Total non-lunch collections				\$ 58,000.00				
	Total monetary collections declared (inc lunch)				\$ 87,825.00			\$ 87,950.00	\$ 87,950.00
	Declared gifts less \$Banking				-\$ 125.00				
	Luncheon tickets after 4/3/04								\$7,375.00